

REMARKS

The claims in this case were restricted into three Groups. Applicants have provisionally elected Group I, claims 1-17 and 26-25. The Restriction Requirement is traversed.

For restriction to be proper, a burden must be placed on the Office in examining all claims. Applicants respectfully submit that assuming the compositions in Group I and the compositions in Group II and the methods in Group III are materially different, the search for these compositions, kits and methods would occur in the same classes/subclasses given the fact that the compositions in Group I compositions are essentially the same compositions as the Group II compositions or those used in the Group III methods. Thus, the same classes/subclasses would be searched because the same compositions are relevant to Group I, Group II and Group III claims -- no burden would be placed on the Office in searching and/or examining all claims together.

This is particularly true given that the Group II composition claims ultimately depend from claim 1 and the Group III method claims depend from claim 1 as well. Pursuant to MPEP § 821.04, such dependent method claims should be rejoined in this application upon indication of allowable subject matter.

Finally, the reason underlying the designation by the Office of the different oils in the Group I claims and the Group II claims as being distinct is not explained in sufficient detail or by example, and as such represents only a conclusion, particularly in view of the fact that the identified oils are related by operation and/or effect. Accordingly, division of these oils is unsupported and improper. See, MPEP §§ 802.01 and 806.04 (b).

Application No. 10/687,581

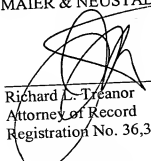
Response to Requirement for Restriction dated January 10, 2007

For all of the above reasons, the Restriction Requirement is traversed.

Applicants respectfully submit that the above-identified application is now in condition for examination on the merits.

Respectfully submitted,

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